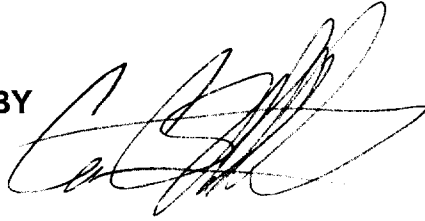


AN ORDINANCE BY



04-○-0050

AN ORDINANCE AUTHORIZING THE MAYOR TO GRANT A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT TO THE GEORGIA POWER COMPANY, FOR THE INSTALLATION AND MAINTENANCE OF THE OF THE ELECTRICAL DISTRIBUTION SYSTEM ALONG THE CORRIDOR OF NORTHSIDE DRIVE AND BISHOP STREET IN LAND LOT 151 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA TO ACCOMMODATE THE WIDENING AND IMPROVEMENTS INTERSECTION OF THE INTERSECTION BY THE GEORGIA DEPARTMENT OF TRANSPORTATION; AND FOR OTHER PURPOSES.

WHEREAS, Georgia Power Company has requested a permanent construction and maintenance easement on City owned property; located in Land Lot 151 of the 17th District of Fulton County, Georgia, for the purpose of moving an existing electrical distribution system along this corridor to accommodate the widening and improving of the intersection of Northside Drive and Bishop Street by the Georgia Department of Transportation; and

WHEREAS, Georgia Power Company will be responsible for the payment of all costs associated with the construction, maintenance and installation of the electric distribution system; and

WHEREAS, a permanent construction and maintenance easement is required to install the electrical distribution system in Land Lot 151 of the 17th District of Fulton County, Georgia.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA:

Section 1

That the Mayor be and is hereby authorized to grant a permanent construction and maintenance easement to the Georgia Power Company for installation and maintenance of the electrical distribution system in Land Lot 151 of the 17th District of Fulton County, Georgia.

Section 2

That the Mayor is hereby authorized to execute an easement in favor of the Georgia Power Company across certain City owned property described in Exhibit "A" attached hereto and made a part hereof by reference, for the purpose of accommodating the electrical distribution system.

Section 3:

That the City Attorney is directed to prepare appropriate easement documents for execution by the Mayor, to be approved by the City Attorney as to form, and that said easement shall not become effective until signed by the Mayor and delivered to the Georgia Power Company.

Section 4:

That all Ordinances and parts of Ordinances in conflict herewith be and the same are hereby repealed.

Exhibit A

Bin 10151
241 Ralph McGill Boulevard NE
Atlanta, Georgia 30308-3374

PLEASE RESPOND TO:
905 CHATEAU COURT, S.E.
SMYRNA, GEORGIA 30082-1842
YOUR AGENT: MICHELLE ROCHA
(770) 444-0961



June 18, 2003

Jack E. Ravan
Commissioner in Department
of Watershed Management
City of Atlanta
55 Trinity Avenue, Ste. 5400
Atlanta, Georgia 30335-0330

*I talked to Michelle Friday 25
She promised me to call some
times next week with more
information. HJR 5/10/3*

RE: 17th Street Bridge & Northside Drive Distribution Line
Project No: 3958 – Parcel No: 003 & 015

Dear Mr. Ravan:

On June 18th, I had the opportunity of briefly discussing the above mentioned project with Dorsey Walker who asked me to submit the proper documentation to the Utilities Committee for review in your next meeting.

As you may already know, the Georgia Department of Transportation is currently in the process of widening and improving the intersection of Northside Drive and Bishop Street. As a result, Georgia Power Company (GPC) has been asked to relocate their electrical distribution system along this corridor, just outside of the newly expanded road right of way.

A distribution system is a service supply of energy for area homes and businesses. The easement will be, once in place, fifteen feet wide as measured along the center conductor. The distribution poles are wooden, 18" in diameter, 40' foot tall and treated with Pena-Chlorinol.

Upon my inspection of your property, the Department of Transportation has already torn away the road bed and has graded the site for paving. Current GPC poles have been left in the middle of the intersection. If these poles are not relocated the electrical system may collapse or interrupt service to the neighboring residents. Additionally a few trees need to be trimmed so to not interfere with the conductors.

On Parcel No: 003, six (6) existing poles need to be relocated on Bishop Street and Northside Drive. Due to the fact some of these points are angle points, four poles will need down guys behind the pole, which will extend approximately 15 feet. Those pole locations are 7, 11, 13, and 126. See attached blueprint for reference. On Parcel No: 015, three (3) existing poles need to be relocated on Northside Drive. These pole locations are 21, 123, and 129. See attached blueprint for reference.

Exhibit A

Exhibit A

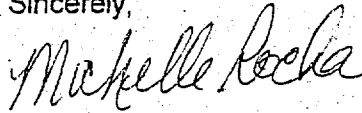
Exhibit A

Michelle Rocha
June 18, 2003
Page 2 of 2

On the blueprints, the green highlight exhibits the old conductors and will be removed. The red highlights exhibit the new conductors and will be installed. The yellow highlights exhibit the property lines.

As you can see, it is imperative we begin construction, however, without an easement we are at a halt. I have taken the liberty of attaching an original easement agreement for your review and execution. Thank you for your attention and you may contact me at mobile number 1-877-496-6606.

Sincerely,



Michelle Rocha
Land Acquisition Consultant

Enclosures

Cc: Melinda Langston
Dorsey Walker
file

pages 170-660-1984

Exhibit A

Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE DISTRIBUTION LINE
No 3958
Parcel No 003 Account No 69596-001521-0-89251-30000000
Letter File 9-3509 Deed File 10658 Map File _____

State of Georgia
Fulton County

E A S E M E N T

Received of Georgia Power Company, hereinafter called the Company, the sum of Ten and 00/100 ***** Dollars

\$ 10.00 and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, in exchange for which the undersigned City of Atlanta

whose Post Office Address is Bill Castings, Real Estate Attorney for the Public Works
550 Trinity Avenue, Atlanta, GA 30303

does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at

Approximately 2.06 acres located on Northside Drive, Atlanta, GA 30318
(address of property) in Land Lot 148 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

on the North by lands of Bishop Street
on the South by lands of Huff Road
on the East by lands of Northside Drive
on the West by lands of Bishop Place

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut

Exhibit A

Parcel 003 Name of Line 17TH STREET BRIDGE AND NORTHSIDE DRIVE
DISTRIBUTION LINE

on said land by or for said Company shall remain the property of the owner of said timber.

The undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The rights herein include and embrace the right to clear and keep clear all trees and other obstructions located within fifteen (15') feet of the distribution pole line, plus the right to install and maintain anchors and guy wires as needed in the construction and maintenance of the above mentioned distribution line.

Said Company shall not be liable for or bound by any statement or understanding not herein expressed.

IN WITNESS WHEREOF, the Undersigned ha_____ hereunto set _____ hand_____ and seal, this _____ day of _____, _____.

Signed, sealed and delivered
in the presence of:

City of Atlanta

Witness

Notary Public

By: _____

Name: _____

Title: _____

Attest: _____

Name: _____

Title: _____

(SEAL)

Please execute document with a witness and notary. Then submit document in the self-addressed envelope.

Thank You

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550 Trinity Avenue, Atlanta, GA 30303

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the right, privilege and easement to go in, upon along and across that tract of
land owned by the undersigned at _____

Approximately 1.00 acre located at 653 Green Street, Atlanta, GA 30102
(address of property) in Land Lot 151 of the 17th District of
FULTON County, State of Georgia, said lands being bounded as follows:

on the North by lands of Trabert Avenue

on the South by lands of Bishop Street

on the East by lands of Tax Map 17-151-2-43

on the West by lands of Howell Mill Road

together with the right to construct, operate and maintain continuously
upon and under said land, its lines for transmitting electric current with
poles, wires, transformer, service pedestals, and other necessary apparatus,
fixtures and appliances, including the right to stretch communication wires
on said poles, or under said lands with necessary appliances; with the right
to permit the attachment of the wires and appliances of any other company,
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upon said premises for the purpose of inspecting said lines, making
repairs, renewals, alterations and extensions thereon, thereunder, thereto or
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Witness

Notary Public

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Name:

Title:

Attest: _____

Name:

Title:

(SEAL)

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witness and
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self-addressed
stamped
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Thank you*

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